

RENTON CITY COUNCIL  
Regular Meeting

October 26, 1998  
Monday, 7:30 p.m.

Council Chambers  
Municipal Building

MINUTES

**CALL TO ORDER**

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF  
COUNCILMEMBERS**

BOB EDWARDS, Council President; KATHY KEOLKER-WHEELER; DAN CLAWSON; KING PARKER; RANDY CORMAN; TONI NELSON. MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL EXCUSE ABSENT COUNCILMAN TIMOTHY SCHLITZER. CARRIED.

**CITY STAFF IN  
ATTENDANCE**

JESSE TANNER, Mayor; DAVID DEAN, Assistant City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; MICHAEL KATTERMANN, Director of Neighborhoods & Strategic Planning; SANDRA MEYER, Transportation Systems Director; ABDOUL GAFOUR, Civil Engineer; TROY SCHLEPP, Planning Intern; COMMANDER FLOYD ELDRIDGE, Police Department.

**PRESS**

Elizabeth Parker, *Renton Reporter*

**APPROVAL OF  
COUNCIL MINUTES**

MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL APPROVE THE MINUTES OF OCTOBER 19, 1998, AS PRESENTED. CARRIED.

**PUBLIC MEETING**

Annexation: Hoquiam Ave NE  
(SE 113th to 116th), Smith

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public meeting to consider the 10% Notice of Intent to Annex petition for approximately 12 acres located east of Hoquiam Ave. NE (142nd Ave. SE) between SE 113<sup>th</sup> and 116th Streets; petitioner Smith.

Troy Schlepp, Planning Intern, explained that the proposed annexation area is located across from Hazen High School. Signatures representing about 49% of the total assessed valuation were included on the 10% Notice of Intent to Annex petition. The subject area includes three single family homes and one residential accessory building, while the remaining area is vacant.

King County's current zoning for the properties is R-4. Renton's Comprehensive Plan designates the properties as Residential-Single Family and Residential-Rural. Typical zoning would be R-8 and R-5. All City departments and divisions state that service to the area would represent a logical extension of their respective functions and systems, with the exception of the Water Utility, as the properties are served by Water District 90. Referring to existing water quality, flooding, erosion and habitat problems within the Honey Creek sub-basin, Mr. Schlepp said as a result, any future development would be required to install storm water management facilities to City standards.

Responding to Council President Edwards, Mr. Schlepp confirmed that the proposed annexation area is well within the urban growth boundary, which is situated east of 146th Ave. SE.

Audience comment was invited. Correspondence was read from Robert O. Russell, 14505 SE 112th Pl., Renton, 98059, stating that the proposal had his full opposition as he feared the kind of growth the annexation would bring. He also felt that the annexation would benefit only the petitioner by providing sewer service to the annexed properties.

Charles Dietsch, 3737 Park Ave. N., Renton, said that as the owner of property located at Sunset Blvd. and 142<sup>nd</sup> Ave. NE, he was keenly interested in whether Renton will provide sewer service to the proposed annexation area, and if so, whether his property could receive this service as well.

David Allen, 14433 SE 112<sup>th</sup> Pl., Renton, stated that he and most of his neighbors oppose this proposal. He disliked the incremental annexing of smaller properties, and did not want to further complicate emergency services in this area.

There being no further public comment, it was MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL: ACCEPT THE 10% NOTICE OF INTENT TO ANNEX; AUTHORIZE CIRCULATION OF THE 60% PETITION TO ANNEX; REQUIRE THE ADOPTION OF CITY ZONING ON THE PROPERTY CONSISTENT WITH RENTON'S COMPREHENSIVE PLAN; AND REQUIRE THAT THE PROPERTY OWNERS ASSUME A PROPORTIONAL SHARE OF RENTON'S BONDED INDEBTEDNESS. CARRIED.

## **ADMINISTRATIVE REPORT**

City Clerk Marilyn Petersen reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1998 and beyond. Items noted included:

- \* On October 15th, 28 Renton firefighters honed their skills at a practice burn in a donated Kenndale house.
- \* The Seattle City Council approved the Seattle/Renton water franchise agreement on October 19th. The agreement will be presented to the Renton City Council for its approval on November 2nd.
- \* The City Attorney's Office obtained a reversal of the injunction granted by King County Superior Court to the Lucas Children's Trust Fund, allowing work on the East Kenndale sewer interceptor to proceed.
- \* City Transfer is currently removing the Cedar River dredge materials stockpiled at the Narco site, and expects to complete this job by the end of the year.

## **AUDIENCE COMMENT**

Citizen Comment: Browne –  
Labrador Ventures Preliminary  
Plat, Lk Wash Blvd (PP-98-141)

Kim Browne, 1003 N. 28th Pl., Renton, 98056, relayed her objection to Labrador Venture's proposed residential development in the vicinity of Lake Washington Blvd., Burnett Ave. N., and N. 28<sup>th</sup> Pl. in the Kenndale area. She was troubled in particular by the proposed site access, which would not allow for sufficient sight distance, thus creating an unacceptable safety hazard. She was additionally concerned by the developer's application for a variance to clear almost 200 lineal feet of quality wildlife habitat along steep slopes. Saying that the plan must be changed to reflect the ideals of the community as well as to ensure public safety and the protection of an environmentally-sensitive area, she said the plat would be deserving of approval only if the following modifications are made: site access is moved from Burnett Ave. to Lake Washington Blvd. in the vicinity of lots 7 and 8; the zoning for the eastern 4.7 acres is maintained as R-1; and the ravine remains undisturbed and a road is not built over it, either by use of fill and a culvert or by any other method (including a bridge). Ms. Browne submitted a petition containing 119 signatures of Kenndale residents

indicating their agreement with these conditions.

Mayor Tanner noted that the proposal is open for public comment until October 29<sup>th</sup>, after which it will undergo environmental review before proceeding to a public hearing before the Hearing Examiner.

Citizen Comment: Moore –  
Labrador Ventures Preliminary  
Plat, Lk Wash Blvd (PP-98-  
141)

Michael Moore, 1220 N. 28th Pl., Renton, 98056, spoke against the proposed rezone for the eastern property of Labrador Ventures, saying that the area should remain R-1 in accordance with the City's Comprehensive Plan and the desires of the Kennydale community. Noting the site's many physical and topographical considerations, he said the proposed access road is not, as the applicant has stated, "desperately needed." Rather, the intersection of Burnett and N. 28<sup>th</sup> Pl. is already difficult, given the steep grade of the road and its curve, which greatly limit driver sight distance. Mr. Moore concluded that the site is home to many species, including black-tailed deer and pileated woodpeckers.

Responding to Councilman Corman, Mr. Moore said any development of this property should be managed by limiting the density that is allowed. He also suggested that every effort be made to avoid building a culvert over the area's stream.

Councilman Parker noted that the City made numerous vigorous efforts to purchase this property from its previous owner, but was consistently rebuffed.

Citizen Comment: Shure –  
Labrador Ventures Preliminary  
Plat, Lk Wash Blvd (PP-98-  
141)

Charles Shure, 1201 N. 28th Pl., Renton, 98056, emphasized that the stream which exists on this property flows year-round, and in the autumn, salmon spawn at its mouth. He feared that disturbing the ravine would be detrimental to the area's wildlife and could possibly even destroy its habitat.

In response to Councilman Corman, Planning/Building/Public Works Administrator Gregg Zimmerman confirmed that a State Department of Fisheries hydraulic permit would be required to perform any construction affecting or involving the stream. He offered to look into whether the development will need a shoreline permit as well. Responding to an inquiry from Councilman Parker, Mr. Zimmerman said Renton's waterway setback is 25 feet, which is comparatively slender compared to that of other jurisdictions.

Citizen Comment: Korn –  
Labrador Ventures Preliminary  
Plat, Lk Wash Blvd (PP-98-  
141)

Eric Korn, 1211 N. 28th Pl., Renton, 98056, reported that the Labrador Ventures property contains wetlands. Although these are normally protected by a 50-foot buffer from any development, the use of averaging can reduce actual buffers to as little as 25 feet. He showed pictures taken of the area, emphasizing that it is not uncommon for local residents to see bald eagles in the forest.

Mr. Corman commented that Council cannot take action on this project at this time, since the application must undergo the stipulated process. He suggested that the developer consider modifying its proposal to address some of the neighbors' concerns. (See additional information under Correspondence.)

## CONSENT AGENDA

City Clerk: 1997 City of  
Renton Audit Report

Items on the consent agenda are adopted by one motion which follows the listing.

City Clerk submitted 1997 Audit Report for the City of Renton as provided by the Washington State Auditor's Office. Information.

Streets: Logan Ave S  
Improvements, Gary Merlino,  
CAG-98-132

City Clerk reported bid opening on 10/21/98 for CAG-98-132, Logan Ave. S. Improvements; five bids; engineer's estimate \$660,251.82; and submitted staff recommendation to award the contract to the low bidder, Gary Merlino Construction Co., in the total amount of \$594,008.14. Council concur.

Annexation: 132nd Ave SE  
(Union Ave NE), Davis

Economic Development, Neighborhoods & Strategic Planning Department requested a public meeting be set on November 9, 1998 to consider a Notice of Intent to Annex approximately 3.8 acres east of 132nd Ave. SE (Union Ave. NE); petitioner Davis. Council concur.

Municipal Court: Public  
Defender Services, Kameron  
Cayce

Executive Department recommended approval of an agreement in the amount of \$168,000 with the law firm of Kameron C. Cayce for public defender services for one year. Refer to Finance Committee.

Transportation: Quendall  
Terminals Railroad Crossings  
(Private into Public)

Legal Department recommended that the private railroad crossings at the Baxter, Port Quendall and Barbee Mills sites be transformed into public crossings once the City has exercised its option to purchase Quendall Terminals and the Administration has received adequate assurances of ultimate development of these properties. Refer to Transportation Committee.

MOVED BY EDWARDS, SECONDED BY KEOLKER-WHEELER,  
COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED.  
CARRIED.

#### **CORRESPONDENCE**

Citizen Comment: Scott –  
Labrador Ventures Preliminary  
Plat, Lk Wash Blvd (PP-98-141)

Correspondence was read from James and Sally Scott, 1405 N. 28<sup>th</sup> St., Renton, 98056, stating that the Labrador Ventures property is one of the main migratory routes for small and large birds in this area. They feared that pollutants from an additional 60 or 70 residences would foul the creek, and that the neighborhood streets would be subject to an additional 150 to 200 road trips per day. Mr. and Mrs. Scott concluded that the City has already declared Kenedydale as an area in need of more open space and a neighborhood park.

#### **OLD BUSINESS**

##### **Committee of the Whole**

Parks: Master Plan and  
Appropriation for the Piazza  
and Gateway

Council President Edwards presented a report regarding the Master Plan and appropriation for the Piazza and Gateway. Since late January, 1998, staff has been working with the Downtown Planning Project's Design Review Team (DRT) to develop a Master Plan for the development of the Piazza and Gateway properties in downtown Renton. The DRT has completed its work, which has culminated in the development of a Master Plan.

In the 1998 budget, the City Council budgeted \$1,000,000 for the Downtown Redevelopment project. In May 1998, the Council appropriated \$200,000 of this amount to complete improvements to the adjacent pavilion building, with the remaining funds intended to fund the development of the Piazza and Gateway properties.

The Committee of the Whole recommended adoption of the Master Plan as presented, with the understanding that should the Seattle Public Utilities Department not approve the location of the trellis on their property as shown on the Master Plan, then the "trellis option" shall be incorporated as part of the adopted Master Plan.

The Committee of the Whole further recommended that staff be authorized to proceed with detailed drawings, final cost estimates, and construction documents in anticipation of a late spring construction start.

The Committee of the Whole further recommended that \$800,000 be appropriated to implement the improvements to the Piazza and Gateway as depicted in the Master Plan. MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT.  
CARRIED.

Responding to Council President Edwards, Mayor Tanner said the

Administration plans to improve the exterior look of the pavilion building, in part by installing three windows to eliminate the black wall and create symmetry. Detailed plans will be furnished to Council before the work begins.

**Utilities Committee**

Public Works: 1998 Water System Plan

Utilities Committee Chair Clawson presented a report recommending concurrence in the Planning/Building/Public Works Department's recommendation to approve the resolution adopting the 1998 Water System Plan. MOVED BY CLAWSON, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Finance Committee**

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claims Vouchers 164167 - 164642 and two wire transfers in the total amount of \$1,900,885.24; and approval of Payroll Vouchers 162955 - 163198 and 515 direct deposits in the total amount of \$1,260,291.17. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Transportation Committee**

Transportation: Burlington Northern RR Agreement for Main Ave S Crossing Material

Transportation Committee Vice Chair Corman presented a report recommending that Council authorize the Mayor and City Clerk to execute the Burlington Northern Santa Fe Construction & Maintenance Agreement for the replacement of the railway crossing material at Main Ave. S. MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Councilman Parker suggested that the City also seek to have the railroad update the crossing signal at this location in addition to the roadway materials.

Transportation: Neighborhood Walkway Program (Kennydale-area Sidewalks)

Transportation Committee Vice Chair Corman presented a report recommending that Council authorize staff to proceed with incorporating design concepts for walkways along N. 30th St. (I-405 to Burnett Ave. N.) and Park Ave. N. (N. 28th to 38th Streets) as presented at the public open house held at Kennydale Elementary School on September 15, 1998 (with the exception of widening traffic lanes). The detail layout will be determined during the design phase. MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.\*

Council President Edwards expressed strong concern that the final design for the sidewalks along Park not result in the walkway switching sides from west to east at some point. He explained that the sidewalks are being constructed for pedestrian safety, particularly that of the children who walk to Kennydale Elementary. Requiring them to cross the street to resume walking on the sidewalk would defeat the purpose.

\*MOTION CARRIED.

**Community Services Committee**

Parks: Designating the Plaza & Gateway Parcels as City Parks

Community Services Committee Chair Nelson presented a report recommending that the Plaza and Gateway parcels be officially designated as city parks, administered under existing City park rules and regulations. Maintenance and use of the facilities will be coordinated through the Parks and Recreation Department, with the approval and oversight of the Park Board. These parcels can be described as:

Plaza parcel: Bounded on the east by Burnett Ave. S., on the south by S. 3rd St., on the west by Logan Ave. S., and on the north by the south wall of the pavilion building.

Gateway parcel: Bounded on the east by Logan Ave. S., on the south by S. 3rd

St., on the west by the "Big 5" parcel, and on the north by the City of Seattle public utilities property. MOVED BY NELSON, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Municipal Court: Temporary  
Pro Tem Judges

Community Services Committee Chair Nelson presented a report recommending concurrence with the staff recommendation to approve the appointment of six temporary Pro-tem judges. These judges will sit in Renton Municipal Court between November 2nd and November 10th for one courtroom calendar each as part of the judicial selection process to fill the vacancy created by the resignation of Judge Corinna Harn. The six candidates are: Cheryl B. Carey, Susan R. Irwin, Terry Lee Jurado, Norman R. Leopold, Robert L. Sewell, and Anita Crawford-Willis. MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Councilmember Keolker-Wheeler requested that all Councilmembers receive a schedule of these calendars so they may attend one or more, if they wish.

## **ORDINANCES AND RESOLUTIONS**

### **Ordinance #4750**

Finance: City Hall Phase II  
Improvements, Equipment  
Expenditures

The following ordinance was presented for second and final reading:

An ordinance was read appropriating \$470,000 from the General Fund's (Fund 0000) excess balance to be transferred to the Capital Improvement Fund (Fund 316) and increasing the expenditure authority in Fund 316 for the purpose of purchasing equipment. MOVED BY CORMAN, SECONDED BY EDWARDS, COUNCIL ADOPT THE ORDINANCE AS PRESENTED. ROLL CALL: ALL AYES. MOTION CARRIED.

## **NEW BUSINESS**

Legal: Processing of Hearing  
Examiner Appeals

Referring to a letter from the City Attorney regarding the Mission Springs v. City of Spokane court case, which raises issues relating to city councils hearing appeals of Hearing Examiner decisions, it was MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER THIS MATTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

## **ADJOURNMENT**

MOVED BY EDWARDS, SECONDED BY KEOLKER-WHEELER, COUNCIL ADJOURN. CARRIED. Time: 8:48 p.m.

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MARILYN J. PETERSEN, CMC, City Clerk